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Counsel to Alfred H. Siegel, as Trustee of the Circuit City Stores, Inc. Liquidating Trust

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re: CIRCUIT CITY STORES, INC., <i>et al.</i> , Debtors.) Case No. 08-35653 (KRH)) Chapter 11) (Jointly Administered))
ALFRED H. SIEGEL, TRUSTEE OF THE CIRCUIT CITY STORES, INC. LIQUIDATING TRUST)))
Plaintiff,) Adv. Pro. No. 19-03091) (Consolidated Adv. Proceedings))
v.))
UNITED STATES TRUSTEE PROGRAM, et al.))
Defendants.)))

STIPULATION AND ORDER

Alfred H. Siegel, as Trustee (the “**Trustee**”) of the Circuit City Stores, Inc. Liquidating Trust (the “**Trust**”) created under the *Modified Second Amended Joint Plan of Liquidation of*

Circuit City Stores, Inc. and its Affiliated Debtors and Debtors in Possession and its Official Committee of Unsecured Creditors Holding General Unsecured Claims, In re Circuit City Stores, Inc., Case No. 08-35653 (Bankr. E.D. Va. Aug. 9, 2010), ECF No. 8252, Exhibit A, solely in his capacity as Trustee, and not in any individual or other capacity, and John P. Fitzgerald, Acting United States Trustee for Region 4 on behalf of himself and all named Defendants herein (the “**Defendants**” and together with the Trustee, the “**Parties**”), by their respective counsel, hereby stipulate as follows:

WHEREAS, on August 31, 2022, the Court entered a Scheduling Order (ECF 41) ¹ addressing deadlines relating to the filing of an Answer and Motion to Dismiss and further scheduling a continued pre-trial conference and hearing on the Motion to Dismiss on November 1, 2022 at 11:00 AM (the “**Hearing**”); and

WHEREAS, the Parties have consented to a brief continuance of the Hearing due to COVID-19 diagnoses;

IT IS HEREBY STIPULATED, ORDERED ADJUDGED AND DECREED THAT:

1. The Hearing will be continued.
2. The Court will conduct a continued pre-trial conference and hearing on the Motion to Dismiss on **November 15, 2022 at 10:00 A.M** (Eastern)(the “**Continued Hearing**”). In accordance with Richmond General Order 22-2, the Continued Hearing shall be conducted both in-person and by Zoom for Government. Persons wishing to appear at the Hearing may participate by either, at their option, appearing in person at Judge Huennekens’ Courtroom, 701 E. Broad St., Courtroom 5000, Richmond, Virginia, or registering in advance at:

¹ Capitalized terms not otherwise defined have the meanings given them in the Scheduling Order.

Zoom registration link:

<https://www.zoomgov.com/meeting/register/vJIsfuqqqT8iEzy2jQbIeZiIyhpRrLJ1J-k>

Listen-only conference line:

Dial: 1-866-590-5055

Access Code: 4377075

Security Code: 111522

3. All Parties should govern themselves accordingly.

Entered:

Richmond, Virginia

KEVIN R. HUENNEKENS

UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

/s/ Lynn L. Tavenner

Lynn L. Tavenner (VA Bar No. 30083)

Paula S. Beran (VA Bar No. 34679)

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Counsel to Alfred H. Siegel, as Trustee of the Circuit City Stores, Inc. Liquidating Trust

/s/ Shannon F. Pecoraro (Permission to affix signature received via email dated 10/28/22)

Kathryn R. Montgomery (Va. Bar No. 42380)

Shannon F. Pecoraro (Va. Bar No. 46864)

Department of Justice

Office of the United States Trustee

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Counsel to Defendants

CERTIFICATION

I hereby certify that the foregoing proposed Stipulation and Order has been either served on or endorsed by all necessary parties.

/s/ Lynn L. Tavenner

Counsel

Service Copy to:

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